

06/09/2021 03:17PM 1

STEVE HOUGH

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Walmart Claims Services

July 22, 2020

Stephen J. Hough Attorney at Law
108 East Main Street
Olney, IL 62450

RE: Ida Mitchell
File Number: 8837037
Date of Loss: 06/04/2019
Facility #: 254
Entity Name: Walmart Inc.

Dear Mr. Hough:

As you know, Walmart Claims Services (WCS) administers liability claims on the behalf of the Walmart family of retail brands and their insurers.

I would like to hear how your client is doing so I may understand the recent status of this claim. If you believe the claim can be resolved at this time, please contact me at your earliest convenience.

If you are unable to contact me via phone, please complete the appropriate responses below and fax back to me at: 877-219-0742:

Current Medical Specials: _____ Current Lost Wages: _____

Is the Customer Still Treating? ☐ YES ☐ NO Treating For (condition): _____

If yes, what type of treatment is the customer receiving? _____

Have Medical Records and Bills Been Requested? ☐ YES ☐ NO

Has Demand Package Been Sent: ☐ YES ☐ NO Date Demand Sent (or Will Send): _____

Requested follow up time: ☐ 2 Weeks ☐ 30 Days ☐ 60 Days

Sincerely,

Katie Hawkins - Case Manager I, GL
Phone: 800-527-0566+58013
Fax: 877-219-0742
Email: Cathy.Hawkins@walmart.com

Walmart Claims Services, Inc.

P. O. Box 14731 - Lexington, KY - 40512-4731

6/9/2021

FILED
Richland Co. Circuit Court
2nd Judicial Circuit
Date: 5/28/2021 10:40 AM
Zachary R. Holder

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
RICHLAND COUNTY, ILLINOIS

IDA MARIE MITCHELL,

Plaintiff,

-v-

WALMART, INC.

Defendant.

2021L8
2021-L

Plaintiff Demands
Jury Trial of 12

COMPLAINT

COMES now the Plaintiff, IDA MARIE MITCHELL, by and through her attorney, Stephen J Hough, and for her Complaint against the Defendant, Wal-Mart, Inc., states as follows:

1. That IDA MITCHELL is a resident of Richland County, Illinois.
2. That Wal-Mart, Inc. does business in Richland County, Illinois, specifically a Wal-Mart Supercenter, designated as Wal-Mart #254, and was engaged in operating said business on June 4, 2019.
3. That at approximately 8:30 a.m. on June 4, 2019, at 3:16 p.m. the Plaintiff, IDA MARIE MITCHELL, was shopping alone at said business, and was at all times using due care and caution for her safety.
4. That at the time and date aforementioned, the Plaintiff, IDA MITCHELL, was shopping for a dog food container and was looking and lids for said container, and was being assisted by a Wal-Mart associate in that endeavor.
5. That while being assisted in shopping for the container and lid by the Wal-Mart associate, Plaintiff IDA MITCHELL stumbled and fell over the dog food container

and a number of lids, causing her to strike her right wrist, right hip, and right hand on the floor.

6. That at the time, date and location aforementioned the Defendant, Wal-Mart, Inc., was guilty of one or more of the following negligent acts or omissions.

a.) Failed to keep the store aisle free of clutter and material so as not to be a danger to the Plaintiff, as well as other shoppers and Wal-Mart associates.

b.) Failed to warn Plaintiff of the material on the floor of the aisle and constituting a hazard to Plaintiff, other shoppers, and Wal-Mart associates.

c.) Failed to close access to the aisle to other shoppers, the Plaintiff, and Wal-Mart associates when it became obvious that the aisle was unsafe due to merchandise lying on the floor.

d.) Failed to exercise due caution in informing Plaintiff, other shoppers, and Wal-Mart associates when it became obvious that the floor had loose materials spread upon it.

7. That as a direct and proximate result of one or more of the aforementioned negligent acts aforesaid, and IDA MITCHELL falling to the floor, the Plaintiff was caused to suffer injuries to her right hip and side, her right wrist, and her right hand, which necessitated her being treated by and ambulance crew and causing Plaintiff to be hospitalized.

8. That as a direct and proximate result of the aforementioned acts or omissions of negligence aforesaid, and the fall of the Plaintiff, the Plaintiff was caused to be hospitalized for the injuries she sustained, was admitted to the hospital

where she became liable for medical bills, cost of medical procedures, medications, and diagnostic testing.

9. That as a direct and proximate cause of the fall, and the aforementioned acts of negligence by the Defendant and its agents and employees, the Plaintiff, IDA MITCHELL, was forced to quit driving her automobile, suffered pain and disability in the past and present, and will continue to suffer pain and disability in the future, including living in an assisted care facility, for which she became liable for costs.

10. That as a direct and proximate cause of the fall, and the acts of negligence by the Defendant and its agents and employees, Plaintiff IDA MITCHELL was required to move from her home.

WHEREFORE, the Petitioner, IDA MARIE MITCHELL prays that this Court enter its Judgement in favor of the Plaintiff in a sum of in excess of \$50,000.00 together with cost of suit.

IDA MARIE MITCHELL, Plaintiff

By: 

STEPHEN J. HOUGH

Attorney for Plaintiff

ARDC # 6192241

108 East Main Street

Olney, IL 62450-2112

Phone (618) 395-6181

Email: SteveHoughLaw@gmail.com

FILED
Richland Co. Circuit Court
2nd Judicial Circuit
Date: 5/28/2021 10:40 AM
Zachary R. Holder

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
RICHLAND COUNTY, ILLINOIS

IDA MARIE MITCHELL,

Plaintiff,

-v-

WALMART, INC.

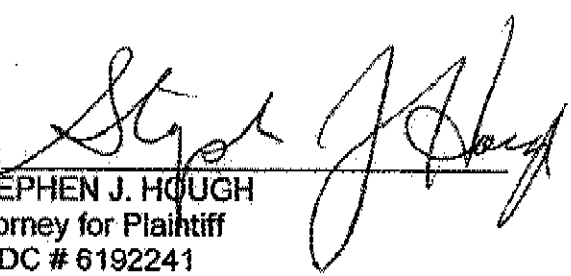
Defendant,

2021L8

JURY TRIAL DEMAND

NOW COMES the Plaintiff, IDA MARIE MITCHELL, by and through her attorney, STEPHEN J. HOUGH, and hereby demand trial by jury of twelve (12) in the above entitled cause.

5/27/2021
Date

BY: 
STEPHEN J. HOUGH
Attorney for Plaintiff
ARDC # 6192241
108 East Main Street
Olney, IL 62450-2112
Phone (618) 395-6181
Email: SteveHoughLaw@gmail.com

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IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
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Plaintiff,

-v-

WALMART, INC.

Defendant,

2021L8

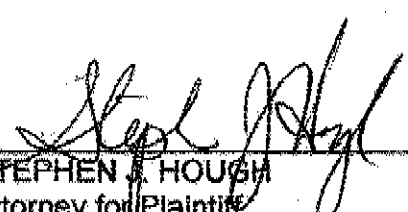
AFFIDAVIT OF PLAINTIFF'S ATTORNEY

Stephen J. Hough, being first duly sworn on oath states as follows"

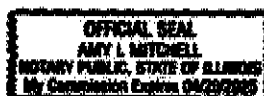
1. He is the Attorney for the Plaintiff in the above referenced matter.
2. The damages sought exceed \$50,000.00


Further Affiant saith not.

Dated this 27 day of May, 2021.


STEPHEN J. HOUGH
Attorney for Plaintiff
ARDC # 6192241
108 East Main Street
Olney, IL 62450-2112
Phone (618) 395-6181
Email: SteveHoughLaw@gmail.com

Subscribed and sworn to before me this 27 day of May 2021.




Notary Public